

Judicial Assignment: Hon. Robert S. Lasnik

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MAPLE LEAF HOUSING INVESTMENTS,  
LLC, a Washington limited liability  
company,

Plaintiff,

vs.

TEXACO DOWNSTREAM PROPERTIES  
Inc., a Delaware corporation,

Defendant.

Case No. 2:18-cv-01710-RSL

**STIPULATED MOTION AND  
~~PROPOSED~~ ORDER FOR STAY OF  
LITIGATION PENDING  
ENVIRONMENTAL INVESTIGATION**

Note on calendar: March 26, 2019

Plaintiff Maple Leaf Housing Investments, LLC ("MLHI") and defendant Texaco Downstream Properties Inc. ("TDPI") have reached an agreement that includes the following components: (1) MLHI will file an Amended Complaint that does not allege the tort claims it asserted against TDPI, but adds a claim for declaratory relief under the Washington Model Toxics Control Act, Chapter 70.105D RCW, and the Uniform Declaratory Judgments Act, Chapter 7.24 RCW; (2) an environmental investigation of MLHI's property will be undertaken; (3) the parties will stay all litigation activities for 120 days in order to allow time to complete the

1 environmental investigation; and (4) the parties will move the Court to extend all litigation  
2 deadlines for 120 days.

3 Concurrent with the filing of this pleading, MLHI has filed an Amended Complaint that  
4 does not allege its tort claims and adds a claim for declaratory relief.

5 The data from the environmental investigation will inform the parties' decisions  
6 regarding MLHI's property and may potentially help facilitate an agreed resolution of this action.  
7 Accordingly, the parties stipulate to stay all litigation activities, including discovery, for 120  
8 days after entry of the order proposed with this pleading, and to seek court approval to extend all  
9 litigation deadlines by 120 days. Those deadlines, as extended, would be as follows:

- |   |                 |
|---|-----------------|
| • Defendant's filing of responsive pleading   | July 22, 2019   |
| • Deadline for FRCP 26(f) conference  | August 2, 2019  |
| • Initial Disclosures pursuant to FRCP 26(a)(1)   | August 9, 2019  |
| • Combined Joint Status Report and<br>Discovery Plan as Required by<br>FRCP 26(f) and LCR 26(f) | August 16, 2019 |

15 The parties jointly request the Court order the parties to stay all litigation activities for  
16 120 days, extend the deadline for Defendant to file its responsive pleading for 120 days, and  
17 issue a third amended order regarding initial disclosures, joint status report, and early settlement  
18 that extends all litigation deadlines by 120 days.

19 IT IS SO STIPULATED THROUGH COUNSEL OF RECORD.

20 DATED this 26 day of March, 2019.

21 VERIS LAW GROUP PLLC

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12 I attest that concurrence in the filing of this document has been obtained from E. Jacob  
13 Lubarsky, counsel for Texaco Downstream Properties, Inc.

14 DATED this 26 day of March, 2019.

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21 *Attorneys for Maple Leaf Housing Investments, LLC*

**PROPOSED ORDER**

The Court ORDERS as follows:

1. The parties shall stay all litigation activities, including discovery, for 120 days after entry of this Order.

2. Defendant's responsive pleading shall be filed no later than July 22, 2019.

3. The Court will issue a third amended order regarding initial disclosures, joint status report, and early settlement that extends the current litigation deadlines as follows:

- Deadline for FRCP 26(f) conference August 2, 2019
- Initial Disclosures pursuant to FRCP 26(a)(1) August 9, 2019
- Combined Joint Status Report and  
Discovery Plan as Required by  
FRCP 26(f) and LCR 26(f) August 16, 2019

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: April 19, 2019

By: MTS Casink

HONORABLE ROBERT S. LASNIK  
U.S. DISTRICT COURT JUDGE

4814-3534-5800, v. 7